

## **UNITED STATES DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office**

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APPLICATION NO./	FILING DATE	FIRST NAMED INVENTOR /	ATTORNEY DOCKET NO.
CONTROL NO.		PATENT IN REEXAMINATION	

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FITZPATRICK CELLA (IBM) 1290 Avenue of the Americas NEW YORK, NY 10104-3800 EXAMINER

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ART UNIT PAPER

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DATE MAILED:

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Please find below and/or attached an Office communication concerning this application or proceeding.

## **Commissioner for Patents**

In view of concurrent litigation, and in order to avoid duplication of effort between the two proceedings, action in this reissue application is STAYED until such time as it is evident to the examiner that (1) a stay of the litigation is in effect, (2) the litigation has been terminated, (3) there are no significant overlapping issues between the application and the litigation, or (4) applicant requests that the application be examined.

Applicant is reminded of the continuing obligation under 37 CFR 1.178(b), to timely apprise the Office of any prior or concurrent proceeding in which Patent No. 6,526,469 is or was involved. These proceedings would include interferences, reissues, reexaminations, and litigation.

Applicant is further reminded of the continuing obligation under 37 CFR 1.56, to timely apprise the Office of any information which is material to patentability of the claims under consideration in this reissue application.

These obligations rest with each individual associated with the filing and prosecution of this application for reissue. See also MPEP §§ 1404, 1442.01 and 1442.04.

/Kevin Verbrugge/ Primary Examiner, Art Unit 2189